Response to Amendment

1.   Applicant's amendment received on February 22, 2012 has been fully considered

and entered, but the arguments are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-2, 5, 7, 11, 14-16, and 18-20 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Rose (US Patent no. 6,731,811) in view of Ramprashad (US

Patent no. 7,899,059) and Klein Gunnewiek et al. (US Patent no. 7146056).

Regarding claims 1, 5 and 19, Rose discloses a method for providing heterogeneous

layered video support comprising constructing signaling information defining how at

least two layers are to be combined at a decoder (See Rose col. 3, lines 50-57, col. 5,

lines 15-37), and transmitting the signaling information along with the at least two layers

in a transport stream to the decoder (See Rose col. 6, lines 19-36).

        It is noted that although Rose provides a signaling information constructed as

parameters (See Rose col. 5, lines 17-44), it is silent about the plurality of parameter

lists defining a unique quality of service of the transport stream as specified in the claims.

However, Ramprashad discloses a method for providing video support wherein each of the plurality of parameter lists define a unique quality of service of the transport stream (See Ramprashad col. 4, lines 45-56, col. 5, lines 18-28 and col. 6, lines 2-7).

Therefore, it is considered obvious that one skilled in the art at the of the invention, having Rose and Ramprashad before him/her, would recognize the advantage to modify Rose' signaling information step by incorporating Ramprashad's teachings wherein each of the plurality of parameter lists define a unique quality of service of the transport stream. The motivation for performing such a modification in Rose is to be able to adapt the transmission of a media stream to fluctuating channel condition by applying quality of service parameter sets/lists as taught by Ramprashad (See Ramprashad col. 2, lines 8-15, and col. 5, lines 18-28).

It is further noted that the proposed combination of Rose and Ramprashad is silent about a method for providing layered video support comprising a plurality of parameters and wherein one of the parameter values defines, for corresponding layer, a DC compensation as specified in the newly amended claims.

However, Klein teaches layered video support comprising a plurality of parameters and wherein one of the parameter values defines, for corresponding layer, a DC compensation (See Klein col. 5, lines 45-61).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying the signaling information, as seen

in Rose col. 6, lines 19-36, to incorporate Klein's teachings wherein layered video support comprising a plurality of parameters and wherein one of the parameter values defines, for corresponding layer, a DC compensation. The motivation for performing such a modification in the combination of Rose and Ramprashad is to allow the use of various existing standards for better coding efficiency as taught by Klein (See Klein col. 2, lines 18-24 and col. 5, lines 45-61).

As per claims 2, 18 and 20, most of the limitations of these claims have been noted in the above rejection of claims 1 and 19. In addition, Rose further proposes an MPEG-2 transport stream (See col. 1, lines 19-25).

As per claims 14-16, most of the limitations of these claims have been noted in the above rejection of claims 1 and 6. The applicant should note that the signaling information will inherently contains an identifier of the reference layer (See col. 8, lines 28-40).

As per claims and 7, most of the limitations of this claim have been noted in the above rejection of claim 1. In addition, Rose further discloses constructing signaling information (See col. 5, lines 25-37).

As per claim 11, Rose further provides signaling information wherein one of the

parameter values defines, for a corresponding layer, a video stream encoding type (See

col. 7, lines 10-25).

4.   Claims 9-10 and 12-13 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Rose (US Patent no. 6,731,811) in view of Ramprashad (US Patent

no. 7,899,059) and Klein (US Patent no. 7146056) as applied to claim 5 above, and

further in view of Haskell et al. (US Patent no. 5742343).

Regarding claims 9-10 and 12-13, most of the limitations of these claims have been

noted in the above rejection of claim 5.

It is noted that the combination of Rose and Ramprashad is silent about defining

horizontal and vertical FIR coefficients for a filtering operation as specified.

However, Haskell provides a method for providing heterogeneous layered video

including defining horizontal and vertical FIR coefficients for a filtering operation (See

Haskell col. 5, lines 1-7, col. 7, lines 63-67, col. 8, lines 1-11).

Therefore, it is considered obvious that one skilled in the art at the time of the

invention would recognize the advantage of modifying the layering of the combination of

Rose and Ramprashad by incorporating Haskell's teachings defining horizontal and

vertical FIR coefficients for a filtering operation. The motivation for performing such a

modification in the proposed combination of Rose and Ramprashad is to form combined

and filtered base layer and enhancement layer where noise has been reduced.

5.   Claims 17 and 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Rose (US Patent no. 6,731,811) in view Ramprashad (US Patent no. 7,899,059)

Klein (US Patent no. 7146056) as applied to claims 1 and 19 above, and further in view

of Harrell et al. (US Patent no. 7274661).

Regarding claims 21-25, most of the limitations of these claims have been noted in the

above rejection of claims 1 and 19.

It is noted that the combination of Rose and Ramprashad is silent about

transmitting signal over the transport stream using an Internet Protocol stream to the

decoder while the transmission session is performed either in-band of out-of-band as

specified in the claims.

However, Harrell provides a method for providing layered video support including

transmitting the layers (BS ES) over Internet Protocol using real-time transport protocol

while the transmission session is performed either in-band of out-of-band (See Harrell

col. 4, lines 23-37).

Therefore, it is considered obvious that one skilled in the art at the time of the

invention would recognize the advantage of modifying the transmission step of the

combination Rose and Ramprashad of the method for providing layered video support

by incorporating Harrell's teaching where layered video support includes transmitting the

layers (BS ES) over Internet Protocol using real-time transport protocol in the

transmission session. The motivation for performing such a modification in the

combination of Rose and Ramprashad is to provide uninterrupted streaming media over

IP networks in order to guarantee Quality of Service as taught by Harrell (See Harrell

col. 4, lines 23-37).

As per claim 17, most of the limitations of this claim have been noted in the above

rejection of claim 5.

It is noted that the combination of Rose and Ramprashad is silent about

providing heterogeneous layered video wherein one of the parameters defines whether

a corresponding layer contains one of an interlaced or progressive stream.

However, Harrell provides a method for providing layered video support wherein

one of the parameters defines whether a corresponding layer contains one of an

interlaced or progressive stream (See Harrell col. 5, lines 1-7 and col. 6, lines 2-16).

Therefore, it is considered obvious that one skilled in the art at the time of the

invention would recognize the advantage of modifying Rose's layering of the proposed

combination by incorporating Harrell's step wherein one of the parameters defines

whether a corresponding layer contains one of an interlaced or progressive stream.

The motivation for performing such a modification in Rose and Ramprashad is to

prevent aliasing and maintain resolution as taught by Harrell in col. 1, lines 66-67 and

col. 2, lines 1-6.

1.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to GIMS PHILIPPE whose telephone number is (571)272-

7336. The examiner can normally be reached on M-F (10:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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